



Receipt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ty J. Caswell et al.

Title: COMPUTER-BASED MULTIFUNCTION PERSONAL COMMUNICATION SYSTEM WITH
CALLER ID

Docket No.: 400.081US2

Filed: September 20, 1999

Examiner: Unknown

Serial No.: 09/400,607

Due Date: N/A

Group Art Unit: 2732

Assistant Commissioner for Patents
Washington, D.C. 20231

We are transmitting herewith the attached:

- ☒ Communication Re: Incorrect Filing Receipt (1 pg.)
- ☒ Copy of Filing Receipt (1 pg.)
- ☒ A return postcard.
- ☒ Copy of Combined Declaration and Power of Attorney (4pgs.)
- ☒ Copy of Preliminary Amendment (2pgs.)

No Additional fee is required.

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described above, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 15th day of December, 1999.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

By: Timothy E. Bianchi
Name: Timothy E. Bianchi
Reg. No. 39,610
TEB:CMG:sll

S/N 09/400,607

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Ty J. Caswell et al.	Examiner:	Unknown
Serial No.:	09/400,607	Group Art Unit:	2732
Filed:	September 20, 1999	Docket:	400.081US2
Title:	COMPUTER-BASED MULTIMEDIA PERSONAL COMMUNICATION SYSTEM WITH CALLER ID		

COMMUNICATION RE: INCORRECT FILING RECEIPT

Assistant Commissioner for Patents
Washington, D.C. 20231

Applicants hereby request correction of the Filing Receipt with respect to the above-identified patent application. In the Filing Receipt received October 21, 1999, (copy enclosed), the applicant information is incorrect. **The applicant information should read: TY J. CASWELL, BIG LAKE, MN; JEFFREY P. DAVIS, HAM LAKE, MN; GREGORY R. JOHNSON, NEW BRIGHTON, MN; TIMOTHY J. REINARTS, RAMSEY, MN; TING SUN, MINNEAPOLIS, MN.** This is evidenced by the Combined Declaration and Power of Attorney (copy enclosed).

Second, the continuing data is incorrect. **The continuing data should read:**

THIS APPLICATION IS A CON OF 08/338,340 11/10/94

WHICH IS A CIP OF 08/002,467 01/08/93 PAT 5,452,289

This is evidenced by the Preliminary Amendment (copy enclosed) filed with the application 09/20/1999.

Applicants would appreciate the above-identified printing error be corrected and that a new "corrected" filing receipt be sent to Applicants' representatives at the address given below.

Filing Date: September 20, 1999

Title: COMPUTER-BASED MULTIFUNCTION PERSONAL COMMUNICATION SYSTEM WITH CALLER ID

Respectfully submitted,

TY J. CASWELL ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

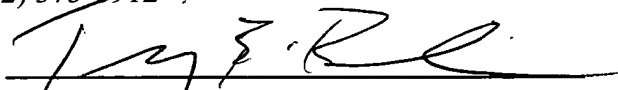
Minneapolis, MN 55402

(612) 373-6912

Date

Dec 15, 1999

By



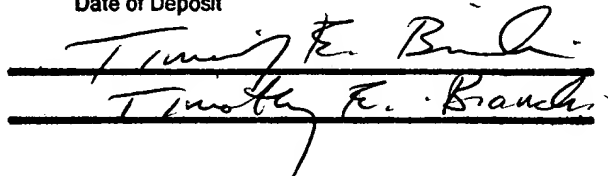
Timothy E. Bianchi

Reg. No. 39,610

TEB:CMG:sll

I hereby certify that this correspondence is being
deposited with the United States Postal Service as first
class mail in an envelope addressed to Assistant
Commissioner of Patents, Washington, D.C. 20231,
on Dec. 15, 1999.

Date of Deposit


Timothy E. Bianchi

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/400,607	09/20/99	2732	\$0.00	400.081US2	33	13	3

021186
SCHWEGMAN LUNDBERG WOESSNER & KLUTH
P O BOX 2938
MINNEAPOLIS MN 55402

DEC. 20, 1999 - 185 DUE
D✓
COPY

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) TY J. CASWELL.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A CIP OF 08/002,467 01/08/93 PAT 5,452,289

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 10/07/99 ** SMALL ENTITY **
TITLE
COMPUTER-BASED MULTIFUNCTIONAL PERSONAL COMMUNICATION SYSTEM WITH
CALLER ID

PRELIMINARY CLASS: 370

Schwegman, Lundberg,
Woessner & Kluth, P.A.

OCT 21 1999

RECEIVED

DATA ENTRY BY: WHITE, JACKIE

TEAM: 03 DATE: 10/07/99

|||||

(See reverse for new important information)



SCHWEGMAN, LUNDBERG & WOESSNER, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

COPY

Below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: COMPUTER-BASED MULTIFUNCTION PERSONAL COMMUNICATION SYSTEM WITH CALLER ID.

The specification of which

a. XX is attached hereto

b. was filed on as application serial no. and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 3 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, §119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. no such applications have been filed.

b. XX such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

US APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS(patented, pending,abandoned)
08/002,467	January 8, 1993	Pending

Our Ref: SLW 400.081US1
 Serial No: not assigned
 Applicant: Ty Caswell et al.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Billig, Patrick G. Reg. No. P-38,080
 Brennan, Thomas F. Reg. No. 35,075
 Kluth, Daniel J. Reg. No. 32,146
 Gebhardt, Mark J. Reg. No. 35,518
 Lundberg, Steven W. Reg. No. 30,568
 Mueeting, Ann M. Reg. No. 33,977

Raasch, Kevin W. Reg. No. 35,651
 Schwappach, Karl G. Reg. No. 35,786
 Schwegman, Micheal L. Reg. No. 25,816
 Woessner, Warren D. Reg. No. 30,440

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, & Woessner, P.A. d to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg & Woessner, P.A., Attention: Daniel J. Kluth, 3500 IDS Center, Minneapolis, MN 55402 Telephone No. (612)339-0331.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

201	Full Name of Inventor	Family Name	First Given Name	Second Given Name
		CASWELL	Ty	J.
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
		Big Lake	Minnesota	U.S.A.
	Post Office Address	Post Office Address	City	State & ZipCode/Country
651 Park Avenue East		Big Lake	MN/55309/USA	
202	Full Name of Inventor	Family Name	First Given Name	Second Given Name
		DAVIS	Jeffrey	P.
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
		Ham Lake	Minnesota	USA
	Post Office Address	Post Office Address	City	State & ZipCode/Country
3244 146th Avenue		Ham Lake	MN/55304/U.S.A.	
203	Full Name of Inventor	Family Name	First Given Name	Second Given Name
		JOHNSON	Gregory	R.
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
		New Brighton	Minnesota	U.S.A.
	Post Office Address	Post Office Address	City	State & ZipCode/Country
3143 Brookshire Lane		New Brighton	MN/55112/U.S.A.	
Signature of Inventor 201		Signature of Inventor 202		Signature of Inventor 203
Date		Date		Date

Our Ref: SLW 400.081US1
 Serial No: not assigned
 Applicant: Ty Caswell et al.

204	Full Name of Inventor	Family Name	First Given Name	Second Given Name
		Reinarts	Timothy	J.
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
		Ramsey	Minnesota	U.S.A.
	Post Office Address	Post Office Address	City	State & ZipCode/Country
9081 167th Lane N.W.		Ramsey	MN/55303/USA	
205	Full Name of Inventor	Family Name	First Given Name	Second Given Name
		SUN	Ting	
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
		Minneapolis	Minnesota	China
	Post Office Address	Post Office Address	City	State & ZipCode/Country
3107 4th Street S.E., Apt. 3		Minneapolis	MN/55414/USA	
206	Full Name of Inventor	Family Name	First Given Name	Second Given Name
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
	Post Office Address	Post Office Address	City	State & ZipCode/Country
Signature of Inventor 204		Signature of Inventor 205		Signature of Inventor 206
Date		Date		Date

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

S/N Unknown

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ty J. Caswell et al.

Examiner: Unknown

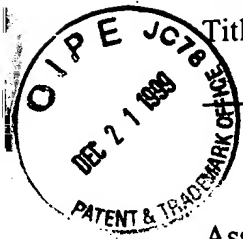
Serial No.: Unknown

Group Art Unit: Unknown

Filed: Herewith

Docket: 400.081US2

Title: COMPUTER-BASED MULTIFUNCTION PERSONAL COMMUNICATION
SYSTEM WITH CALLER ID



PRELIMINARY AMENDMENT

COPY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to taking up the above-identified patent application for review, please amend the application as follows:

IN THE SPECIFICATION

Please amend the specification as follows:

In the first line after the title, please insert the following, ---This application is a Continuation of U.S. Application Serial No. 08/338,340 filed November 10, 1994 which is a Continuation-in-part of U.S. Application Serial No. 08/002,467, now U.S. Patent No. 5,452,289.--

IN THE CLAIMS

Please cancel claims 1-6.

PRELIMINARY AMENDMENT

Serial Number: Unknown

Filing Date: Herewith

Title: COMPUTER-BASED MULTIFUNCTION PERSONAL COMMUNICATION SYSTEM WITH CALLER ID

Page 2

Dkt: 400.081US2

REMARKS

Claims 1-6 having been canceled, claims 7-19 are now pending. Please enter into the record the preliminary amendment described herein prior to examination and consideration of the above-identified application.

COPY

Respectfully submitted,

TY J. CASWELL ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6912

Date Sep. 20, 1999

By Timothy E. Bianchi
Timothy E. Bianchi
Reg. No. 39,610

"Express Mail" mailing label number: FM28784720305

Date of Deposit: SEPTEMBER 20, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Printed Name: REGINA HANSON

Signature: [Signature]